

12/7/1999minutes

Minutes of a CDA Meeting held by the Town Board of the Town of Riverhead, at Town Hall, 200 Howell Avenue, Riverhead, New York, on Tuesday, December 7, 1999 at 7:00 P.M.

**Present:**

Vincent Villella,	Chairman
Philip Cardinale,	Member
Christopher Kent,	Member

**Also Present:**

Andrea Lohneiss,	Director
Barbara Grattan,	Town Clerk
Adam Grossman, Esq.,	Town Attorney

**Absent:**

Mark Kwasna,	Member
James Lull,	Member

Chairman Villella called the meeting to order at 9:40 p.m.

Andrea Lohneiss: "With regard to Mr. Kasperovich's question, the CDA counsel on Urban Renewal Law, his legal opinion is that the SEQRA determination needed to be made prior to the Town Board calling a public hearing. And as Phil correctly stated, that it is a SEQRA opinion only on a conveyance, not on the development itself.

The second question that Mr. Kasperovich had with regard to the map, there is a draft contract in the Town Clerk's office on file. It does have a map attached, and we will post that map outside in the hallway prior to the next public hearing."

Member Cardinale: "Thank you."

Resolution #19

Chairman Villella: "19."

Andrea Lohneiss: "Resolution 19 declares lead agency and determines environmental significance of conveyance of 42 acres from the CDA to the Island Water Park, Inc."

Member Cardinale: "So moved."

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Member Kent: "Seconded."

Chairman Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Villella, yes. The resolution is adopted."

Resolution #20

Andrea Lohneiss: "It does the same thing. Declares lead agency and determines environmental significance of the conveyance of 472 acres by the CDA to Calverton Camelot, LLC."

Member Kent: "So moved."

Member Cardinale: "Seconded."

Chairman Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Villella, yes. The resolution is adopted."

Resolution #21

Andrea Lohneiss: "Calls a public hearing on the designation of Island Water Park as a sponsor regarding the sale of 42 acres of real property at the Calverton Enterprise Park."

Member Cardinale: "So moved."

Member Kent: "Do we need to amend this to read the price on 42 acres or should we leave it at the \$680,000-- or should we increase that to \$714?"

Andrea Lohneiss: "Say 42 plus or minus?"

Chairman Villella: "Yes."

Andrea Lohneiss: "\$680,000, plus or minus?"

Chairman Villella: "That's how it was last time, it was plus or minus, it was written down. That's fine."

Member Kent: "Okay, second."

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Andrea Lohneiss: "Do you want to make a motion to amend?"

Member Kent: "If we're going to say 42 acres, and be specific with that, we should be probably be specific with a price. If we're going to leave it open, plus or minus, then we can leave it as plus or minus. So, I would second it-- if we're going to say 42 acres, why don't we say \$714,000?"

Member Cardinale: "So moved as amended."

Chairman Villella: "Moved and seconded."

Member Kent: "And seconded."

Andrea Lohneiss: "Cardinale, yes; Kent, yes; Villella, yes. The resolution is adopted."

Resolution #22

Andrea Lohneiss: "Calls a public hearing on the designation of of Calverton/Camelot LLC. as a sponsor regarding the sale of 472 acres of real property at the Calverton Enterprise Park."

Member Kent: "So moved."

Member Cardinale: "Seconded."

Chairman Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Villella, yes. The resolution is adopted."

Chairman Villella: "We close the CDA meeting."

Meeting closed: 9:43 p.m.

*Barbara Lutton*  
*town clerk*

December 7, 1999

**TOWN OF RIVERHEAD COMMUNITY  
DEVELOPMENT AGENCY**

Resolution #19

**DECLARES LEAD AGENCY AND DETERMINES ENVIRONMENTAL  
SIGNIFICANCE OF CONVEYANCE OF 42 ACRES OF REAL PROPERTY  
AT CALVERTON SITE TO ISLAND WATER PARK, INC.**

**COUNCILMAN CARDINALE**

offered the following resolution which

was seconded by **COUNCILMAN KENT**

**WHEREAS**, the Riverhead Community Development Agency (the "Agency") has prepared a contract of sale with Island Water Park, Inc. for the conveyance of 42 acres of real property currently held by the Agency and known as part of the former Calverton Naval Weapons Industrial Reserve Plant (the "Calverton Site"), and

**WHEREAS**, the New York State Environmental Conservation Law and its implementing regulations require an environmental review of any sale of real property by the Agency, and

**WHEREAS**, the Town Board of the Town of Riverhead did on November 2, 1998 adopt a Findings Statement concluding the environmental review (Generic Environmental Impact Statement) of the redevelopment of the Calverton Site; such Generic Environmental Impact Statement and resulting Findings Statement contemplating the sale of the entire property, or a portion thereof, for the optimum economic redevelopment of the premises; and

**WHEREAS**, the Planning Department has recommended that the proposed conveyance be considered a Type I Action pursuant to 6NYCRR Part 617.4, and

**WHEREAS**, the proposed conveyance does not require either approvals or permits to be rendered by any governmental agency other than the Agency, rendering coordinated review pursuant to 6NYCRR Part 617.6(b) as neither constructive nor required, and

**WHEREAS**, the Members of the Riverhead Community Development Agency have carefully considered the merits of the proposed conveyance, the SEQR record created to date, as well as all other pertinent planning, zoning, and environmental information, now

**THEREFORE, BE IT**

**RESOLVED**, that in the matter of the conveyance of 42 acres of real property from the Agency to Island Water Park, Inc., the Riverhead Community Development Agency hereby declares itself to be the Lead Agency pursuant to 6NYCRR Part 617.6, and

**BE IT FURTHER**

**RESOLVED**, that the action is to be considered Type I pursuant to 6NYCRR Part 617.4, and

**BE IT FURTHER**

**RESOLVED**, that such conveyance is considered to be in conformance with that Findings Statement resulting from the Generic Environmental Impact Statement undertaken for the redevelopment of the Calverton Site, that such conveyance does not pose potential significant impacts to either the natural or social environment and that a Supplemental Environmental Impact Statement need not be prepared, and

**BE IT FURTHER**

**RESOLVED**, that the Planning Director be directed to publish and post those notices of Non-Significance as required by law, and

**BE IT FURTHER**

**RESOLVED**, that a certified copy of this resolution be transmitted to the Town Clerk, the Planning Department and Charles R. Cuddy as Attorney for Island Water Park, Inc..

#### THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐  
THEREUPON DULY DECLARED ADOPTED

December 7, 1999

TOWN OF RIVERHEAD COMMUNITY  
DEVELOPMENT AGENCY

Resolution #20

**DECLARES LEAD AGENCY AND DETERMINES ENVIRONMENTAL  
SIGNIFICANCE OF CONVEYANCE OF 472 ACRES OF REAL  
PROPERTY AT CALVERTON SITE TO CALVERTON/CAMELOT, LLC**

COUNCILMAN KENT offered the following resolution which  
was seconded by COUNCILMAN CARDINALE

**WHEREAS**, the Riverhead Community Development Agency (the "Agency") has entered into a contract of sale with Calverton/Camelot, LLC for the conveyance of 472 acres of real property currently held by the Agency and known as part of the former Calverton Naval Weapons Industrial Reserve Plant (the "Calverton Site"), and

**WHEREAS**, the New York State Environmental Conservation Law and its implementing regulations require an environmental review of any sale of real property by the Agency, and

**WHEREAS**, the Town Board of the Town of Riverhead did on November 2, 1998 adopt a Findings Statement concluding the environmental review (Generic Environmental Impact Statement) of the redevelopment of the Calverton Site; such Generic Environmental Impact Statement and resulting Findings Statement contemplating the sale of the entire property, or a portion thereof, for the optimum economic redevelopment of the premises; and

**WHEREAS**, the Planning Department has recommended that the proposed conveyance be considered a Type I Action pursuant to 6NYCRR Part 617.4, and

**WHEREAS**, the proposed conveyance does not require either approvals or permits to be rendered by any governmental agency other than the Agency, rendering coordinated review pursuant to 6NYCRR Part 617.6(b) as neither constructive nor required, and

**WHEREAS**, the Members of the Riverhead Community Development Agency have carefully considered the merits of the proposed conveyance, the SEQR record created to date, as well as all other pertinent planning, zoning, and environmental information, now

**THEREFORE, BE IT**

**RESOLVED**, that in the matter of the conveyance of 472 acres of real property from the Agency to Calverton/Camelot, LLC, the Riverhead Community Development Agency hereby declares itself to be the Lead Agency pursuant to 6NYCRR Part 617.6, and

**BE IT FURTHER**

**RESOLVED**, that the action is to be considered Type I pursuant to 6NYCRR Part 617.4, and

**BE IT FURTHER**

**RESOLVED**, that such conveyance is considered to be in conformance with that Findings Statement resulting from the Generic Environmental Impact Statement undertaken for the redevelopment of the Calverton Site, that such conveyance does not pose potential significant impacts to either the natural or social environment and that a Supplemental Environmental Impact Statement need not be prepared, and

**BE IT FURTHER**

**RESOLVED**, that the Planning Director be directed to publish and post those notices of Non-Significance as required by law, and

**BE IT FURTHER**

**RESOLVED**, that a certified copy of this resolution be transmitted to the Town Clerk, the Planning Department and Peter Pitsiokis as Attorney for Calverton/Camelot, LLC.

**THE VOTE**

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Absent	Lull	<input checked="" type="checkbox"/> Absent	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY DECLARED ADOPTED

## CDA Resolution #21

A01.01.01

At a regular meeting of the Members of the Town of Riverhead Community Development Agency, Town of Riverhead, Suffolk County, New York, held at the Town of Riverhead Town Hall, 200 Howell Avenue, in Riverhead, New York, in said Town, on December 7, 1999, at 7:00 o'clock P.M., Prevailing Time.

The meeting was called to order by Supervisor Villella and upon roll being called, the following were

PRESENT: Supervisor Vincent Villella  
Councilman Philip Cardinale  
Councilman Christopher Kent

ABSENT: Councilman James Lull  
Councilman Mark Kwasna

The following resolution was offered by Member Cardinale, who moved its adoption, seconded by Member Kent, to-wit:

## THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Absent	Lull	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Absent
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT

THEREUPON DULY DECLARED ADOPTED



## CDA Resolution #21

RESOLUTION DATED DECEMBER 7, 1999.

A RESOLUTION CALLING A PUBLIC HEARING ON THE AGENCY'S DESIGNATION OF ISLAND WATER PARK AS A QUALIFIED AND ELIGIBLE SPONSOR FOR REDEVELOPMENT OF APPROXIMATELY FORTY ACRES OF VACANT LAND AT THE FORMER NAVAL WEAPONS INDUSTRIAL RESERVE PLANT, CALVERTON AND FOR THE SALE BY THE AGENCY OF SUCH PROPERTY TO ISLAND WATER PARK FOR REDEVELOPMENT AS A WATER PARK FOR OUTDOOR RECREATIONAL USE.

WHEREAS, the Town of Riverhead Community Development Agency (the "Agency") is the owner of an approximately 2,900 acre parcel of land, together with the buildings located thereon, in Riverhead, which land is known as the former Naval Weapons Industrial Reserve Plant, Calverton (the "Calverton Site") a portion of which Calverton Site is located within an economic development zone duly designated as such pursuant to the New York State Economic Development Zones Act, being Article 18-B of the General Municipal Law; and

WHEREAS, there has been submitted to the Agency a proposal for, and the Agency is considering, (i) designating Island Water Park the "qualified and eligible sponsor" (the "Sponsor"), pursuant to Section 507(2)(c) and (d) of the General Municipal Law and in accordance with the established rules and procedures provided by the Agency, for the redevelopment of approximately 40 acres of vacant land of the Calverton Site, together with any buildings located thereon, leases, licenses and occupancy agreements related thereto and other rights in connection therewith (the "Property"), and (ii) selling the Property, pursuant to Sections 507(2)(d), 556(2) and 968(b) of the General Municipal Law, to Island Water Park pursuant to a certain

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Agreement of Sale by and between the Agency and Island Water Park, a draft of which Agreement of Sale is on file in the Office of the Town Clerk of the Town of Riverhead and is available for public inspection during regular business hours (the "Agreement of Sale"), for ~~\$680,000~~ <sup>\$714,000</sup> for redevelopment by Island Water Park as a water park for outdoor recreational use; and

WHEREAS, Sections 556(2), 507(2)(c) and (d) and 968(b) of the General Municipal Law require that a public hearing, following at least ten days public notice, be held by the Agency on the question of designating Island Water Park the Sponsor for the redevelopment of the Property and selling the Property to Island Water Park; and

WHEREAS, the Town of Riverhead (the "Town"), pursuant to Article 8 of the Environmental Conservation Law and the regulations promulgated thereunder by the State Department of Environmental Conservation ("SEQRA") has by Resolution Number 614 of 1998 accepted a final generic Environmental Impact Statement upon the redevelopment of the Calverton Site and has further adopted a Findings Statement contemplating the sale of the Real Property or a portion thereof; and

WHEREAS, the Agency, pursuant to SEQRA, declared itself "lead agency" by Resolution dated December 7, 1999, for the sale of the Property to Island Water Park, determined such sale of the Property to be a Type I Action pursuant to SEQRA, determined that such sale of the Property is in conformance with such Findings Statement resulting from such Generic Environmental Impact Statement and determined that such sale of the Property does not pose significant

impacts to either the natural or social environment and that a Supplemental Environmental Impact Statement need not be prepared pursuant to SEQRA; and

WHEREAS, the Agency now desires to call a public hearing on the designation of Island Water Park as the Sponsor for the redevelopment of the Property and the sale of the Property by the Agency to Island Water Park; and

WHEREAS, a majority of the Town Board of the Town, acting as Members of the Agency, will attend such public hearing; NOW, THEREFORE, BE IT

RESOLVED, by the Members of the Agency, as follows:

Section 1. A public hearing will be held at the Town Hall, 200 Howell Avenue, in Riverhead, New York, in said Town on December 21, 1999 at 2:30 o'clock P.M., Prevailing Time, on the question of designating Island Water Park the Sponsor for the redevelopment of the Property and the sale of the Property by the Agency to Island Water Park, and to hear all persons interested in the subject thereof, concerning the same, and to take such action thereon as is required or authorized by law.

Section 2. The Secretary of the Agency is hereby authorized and directed to cause a copy of the Notice of Public Hearing hereinafter provided to be published once in the News Review, the newspaper hereby designated as the official newspaper for this purpose and one having general circulation in, and available to residents of, the Town, such publication to be made not less than ten days before the date designated for the hearing. The Secretary

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is hereby further authorized and directed to cause a copy of such Notice of Public Hearing to be posted in such places as she deems appropriate under the circumstances, such posting to be done not less than ten days before the date designated for the hearing.

Section 3. The notice of public hearing shall be in substantially the form attached:

NOTICE OF PUBLIC HEARING

TOWN OF RIVERHEAD COMMUNITY DEVELOPMENT AGENCY,

TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK

NOTICE IS HEREBY GIVEN that the Members of the Town of Riverhead Community Development Agency, Town of Riverhead, Suffolk County, New York (the "Agency"), will meet at the Town of Riverhead Town Hall, 200 Howell Avenue, in Riverhead, New York, in said Town, on December 21, 1999, at 2:30 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing on whether Island Water Park should be designated the "qualified and eligible sponsor" for the redevelopment of approximately 40 acres of vacant land at the Agency-owned Calverton Site, being the former Naval Weapons Industrial Reserve Plant, Calverton (the "Calverton Site"), together with any buildings located thereon, leases, licenses and occupancy agreements related thereto and other rights in connection therewith, (the "Property"), and whether the Property should be sold to Island Water Park pursuant to a certain Agreement of Sale by and between the Agency and Island Water Park, a draft of which Agreement of Sale is on file in the Office of the Town Clerk of the Town of Riverhead and is available for public inspection during regular business hours (the "Agreement of Sale"), for <sup>\$714,000</sup>~~\$600,000~~ in cash with no financing contingency, for redevelopment of the Property by Island Water Park as a water park for outdoor recreational use.

The Town of Riverhead (the "Town"), pursuant to Article 8 of the Environmental Conservation Law and the regulations promulgated thereunder by the State Department of Environmental Conservation ("SEQRA") has by Resolution Number 614 of 1998 accepted a final generic Environmental Impact Statement upon the redevelopment of the Calverton Site and has further adopted a Findings Statement contemplating the sale of the Real Property or a portion thereof.

The Agency, pursuant to SEQRA, declared itself "lead agency" by Resolution dated December 7, 1999, for the sale of the Property to Island Water Park, determined such sale of the Property to be a Type I Action pursuant to SEQRA, determined that such sale of the Property is in conformance with such Findings Statement resulting from such Generic Environmental Impact Statement and determined that such sale of the Property does not pose significant impacts to either the natural or social environment and that a Supplemental Environmental Impact Statement need not be prepared pursuant to SEQRA.

At said public hearing the Members of the Agency will hear all persons interested in the subject matter thereof.

Dated: Riverhead, New York  
December \_\_\_\_, 1999

BY ORDER OF THE MEMBERS OF THE TOWN OF RIVERHEAD  
COMMUNITY DEVELOPMENT AGENCY, TOWN OF RIVERHEAD,  
SUFFOLK COUNTY, NEW YORK

By \_\_\_\_\_  
Andrea H. Lohneiss  
Secretary

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Section 4. This resolution shall take effect immediately.

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The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

<u>Supervisor Villella</u>	VOTING	<u>Yes</u>
<u>Councilman Cardinale</u>	VOTING	<u>Yes</u>
<u>Councilman Kent</u>	VOTING	<u>Yes</u>
<u>Councilman Kwasna</u>	VOTING	<u>Absent</u>
<u>Councilman Lull</u>	VOTING	<u>Absent</u>

The resolution was thereupon declared duly adopted.

\* \* \* \*



STATE OF NEW YORK )

) ss.:

COUNTY OF SUFFOLK )

I, the undersigned Secretary of the Town of Riverhead Community Development Agency, Town of Riverhead, Suffolk County, New York, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Members of said Agency, including the resolution contained therein, held on December 7, 1999, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all Members of said Agency had due notice of said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public notice of the time and place of said meeting to be given to the following newspapers and/or other news media as follows:

**Times Review**

**December 6, 1999**

Newspaper and/or other news media

Date given

Times Review

(Andrea Lohneiss faxed to  
News Review)

December 6, 1999

I FURTHER CERTIFY that PRIOR to the time of said meeting, I  
duly caused public notice of the time and place of said meeting to  
be conspicuously posted in the following designated public  
location(s) on the following dates:

Designated Location(s)

of posted notice

Date of Posting

Town Clerk's bulletin Board

December 8, 1999

IN WITNESS WHEREOF, I have hereunto set my hand and affixed  
the seal of said Agency on December \_\_, 1999.

\_\_\_\_\_  
Secretary

(CORPORATE

SEAL)

CDA RESOLUTION # 22

Adopted

At a regular meeting of the Members of the Town of Riverhead Community Development Agency, Town of Riverhead, Suffolk County, New York, held at the Town of Riverhead Town Hall, 200 Howell Avenue, in Riverhead, New York, in said Town, on December 7, 1999, at 7:00 o'clock P.M., Prevailing Time.

The meeting was called to order by Supervisor Vilella, and upon roll being called, the following were

PRESENT:       **Supervisor Vincent Vilella**  
                  **Councilman Philip Cardinale**  
                  **Councilman Christopher Kent**

ABSENT:         **Councilman Mark Kwasna**  
                  **Councilman James Lull**

The following resolution was offered by Member Kent, who moved its adoption, seconded by Member Cardinale, to-wit:

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Lull	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Vilella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐  
THEREUPON DULY DECLARED ADOPTED

## CDA RESOLUTION # 22

RESOLUTION DATED DECEMBER 7, 1999.

A RESOLUTION CALLING A PUBLIC HEARING ON THE AGENCY'S DESIGNATION OF CALVERTON/CAMELOT LLC AS A QUALIFIED AND ELIGIBLE SPONSOR FOR REDEVELOPMENT OF APPROXIMATELY FOUR HUNDRED SEVENTY-TWO ACRES OF LAND, TOGETHER WITH, AMONG OTHER THINGS, THE BUILDINGS LOCATED THEREON, AT THE FORMER NAVAL WEAPONS INDUSTRIAL RESERVE PLANT, CALVERTON AND FOR THE SALE BY THE AGENCY OF SUCH PROPERTY TO CALVERTON/CAMELOT LLC FOR REDEVELOPMENT FOR INDUSTRIAL AND, OR, COMMERCIAL PURPOSES.

WHEREAS, the Town of Riverhead Community Development Agency (the "Agency") is the owner of an approximately 2,900 acre parcel of land, together with the buildings located thereon, in Riverhead, which land is known as the former Naval Weapons Industrial Reserve Plant, Calverton (the "Calverton Site") a portion of which Calverton Site is located within an economic development zone duly designated as such pursuant to the New York State Economic Development Zones Act, being Article 18-B of the General Municipal Law; and

WHEREAS, there has been submitted to the Agency a proposal for, and the Agency is considering, (i) designating Calverton/Camelot LLC, a limited liability corporation organized and existing under the laws of New York, the "qualified and eligible sponsor" (the "Sponsor"), pursuant to Section 507(2)(c) and (d) of the General Municipal Law and in accordance with the established rules and procedures provided by the Agency, for the redevelopment of approximately 472 acres of the Calverton Site, together with the buildings located thereon, leases, including the existing NTSB lease, as amended, licenses and occupancy agreements related thereto and other rights in connection therewith (the "Property"), and (ii) selling the Property,

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pursuant to Sections 507(2)(d), 556(2) and 968(b) of the General Municipal Law, to Calverton/Camelot LLC pursuant to a certain Agreement of Sale dated as of June 15, 1999 by and between the Agency and Calverton/Camelot LLC which Agreement of Sale is on file in the Office of the Town Clerk of the Town of Riverhead and is available for public inspection during regular business hours (the "Agreement of Sale") for \$17,000,000 for redevelopment by Calverton/Camelot LLC for industrial and, or, commercial purposes; and

WHEREAS, Sections 556(2), 507(2)(c) and (d) and 968(b) of the General Municipal Law require that a public hearing, following at least ten days public notice, be held by the Agency on the question of designating Calverton/Camelot LLC the Sponsor for the redevelopment of the Property and selling the Property to Calverton/Camelot LLC; and

WHEREAS, the Town of Riverhead (the "Town"), pursuant to Article 8 of the Environmental Conservation Law and the regulations promulgated thereunder by the State Department of Environmental Conservation ("SEQRA") has by Resolution Number 614 of 1998 accepted a final generic Environmental Impact Statement upon the redevelopment of the Calverton Site and has further adopted a Findings Statement contemplating the sale of the Real Property or a portion thereof; and

WHEREAS, the Agency, pursuant to SEQRA, declared itself "lead agency" by Resolution dated December 7, 1999, for the sale of the

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Property to Calverton/Camelot LLC, determined such sale of the Property to be a Type I Action pursuant to SEQRA, determined that such sale of the Property is in conformance with such Findings Statement resulting from such Generic Environmental Impact Statement and determined that such sale of the Property does not pose significant impacts to either the natural or social environment and that a Supplemental Environmental Impact Statement need not be prepared pursuant to SEQRA; and

WHEREAS, the Agency now desires to call a public hearing on the designation of Calverton/Camelot LLC as the Sponsor for the redevelopment of the Property and the sale of the Property by the Agency to Calverton/Camelot LLC; and

WHEREAS, a majority of the Town Board of the Town, acting as Members of the Agency, will attend such public hearing; NOW, THEREFORE, BE IT

RESOLVED, by the Members of the Agency, as follows:

Section 1. A public hearing will be held at the Town Hall, 200 Howell Avenue, in Riverhead, New York, in said Town on December 21, 1999 at 2:40 o'clock P.M., Prevailing Time, on the question of designating Calverton/Camelot LLC the Sponsor for the redevelopment of the Property and the sale of the Property by the Agency to Calverton/Camelot LLC, and to hear all persons interested in the subject thereof, concerning the same, and to take such action thereon as is required or authorized by law.

Section 2. The Secretary of the Agency is hereby authorized and directed to cause a copy of the Notice of Public Hearing hereinafter provided to be published once in the News Review, the newspaper hereby designated as the official newspaper for this purpose and one having general circulation in, and available to residents of, the Town, such publication to be made not less than ten days before the date designated for the hearing. The Secretary is hereby further authorized and directed to cause a copy of such Notice of Public Hearing to be posted in such places as she deems appropriate under the circumstances, such posting to be done not less than ten days before the date designated for the hearing.

Section 3. The notice of public hearing shall be in substantially the form attached:

NOTICE OF PUBLIC HEARING

TOWN OF RIVERHEAD COMMUNITY DEVELOPMENT AGENCY,  
TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK

NOTICE IS HEREBY GIVEN that the Members of the Town of Riverhead Community Development Agency, Town of Riverhead, Suffolk County, New York (the "Agency"), will meet at the Town of Riverhead Town Hall, 200 Howell Avenue, in Riverhead, New York, in said Town, on December 21, 1999, at 2:40 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing on whether Calverton/Camelot LLC, a limited liability corporation organized and existing under the laws of New York, should be designated the "qualified and eligible sponsor" for the redevelopment of approximately 472 acres of land, at the Agency-owned Calverton Site, being the former Naval Weapons Industrial Reserve Plant, Calverton (the "Calverton Site"), together with the buildings located thereon, leases, including the existing NTSB lease, as amended, licenses and occupancy agreements related thereto and other rights in connection therewith, (the "Property"), and whether the Property should be sold to Calverton/Camelot LLC pursuant to a certain Agreement of Sale by and between the Agency and Calverton/Camelot LLC which Agreement of Sale is on file in the Office of the Town Clerk of the Town of Riverhead and is available for public inspection during regular business hours (the "Agreement of Sale") for \$17,000,000 in cash with no financing contingency, for redevelopment of the Property by Calverton/Camelot LLC for



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industrial and, or, commercial purposes. The Agreement of Sale grants to Calverton/Camelot LLC a limited right of first refusal during only the first year following conveyance of the Property with respect to proposed sales of other portions of the Calverton Site.

The Town of Riverhead (the "Town"), pursuant to Article 8 of the Environmental Conservation Law and the regulations promulgated thereunder by the State Department of Environmental Conservation ("SEQRA") has by Resolution Number 614 of 1998 accepted a final generic Environmental Impact Statement upon the redevelopment of the Calverton Site and has further adopted a Findings Statement contemplating the sale of the Real Property or a portion thereof.

The Agency, pursuant to SEQRA, declared itself "lead agency" by Resolution dated December 7, 1999, for the sale of the Property to Calverton/Camelot LLC, determined such sale of the Property to be a Type I Action pursuant to SEQRA, determined that such sale of the Property is in conformance with such Findings Statement resulting from such Generic Environmental Impact Statement and determined that such sale of the Property does not pose significant impacts to either the natural or social environment and that a Supplemental Environmental Impact Statement need not be prepared pursuant to SEQRA.

At said public hearing the Members of the Agency will hear all persons interested in the subject matter thereof.

Dated: Riverhead, New York  
December \_\_\_\_, 1999

BY ORDER OF THE MEMBERS OF THE TOWN OF RIVERHEAD  
COMMUNITY DEVELOPMENT AGENCY, TOWN OF RIVERHEAD,  
SUFFOLK COUNTY, NEW YORK

By Andrea H. Lohnneiss  
Secretary

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Section 4. This resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

<u>Supervisor Villella</u>	VOTING	<u>Yes</u>
<u>CCouncilman Cardinale</u>	VOTING	<u>Yes</u>
<u>Councilman Kent</u>	VOTING	<u>Yes</u>
<u>Councilman Kwasna</u>	VOTING	<u>Absent</u>
<u>Councilman Lull</u>	VOTING	<u>Absent</u>

The resolution was thereupon declared duly adopted.

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STATE OF NEW YORK     )  
                              ) ss.:  
COUNTY OF SUFFOLK    )

I, the undersigned Secretary of the Town of Riverhead Community Development Agency, Town of Riverhead, Suffolk County, New York, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Members of said Agency, including the resolution contained therein, held on December 7, 1999, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all Members of said Agency had due notice of said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public notice of the time and place of said meeting to be given to the following newspapers and/or other news media as follows:

Newspaper and/or other news mediaDate given

Times review

December 6, 1999

(Andrea Lohneiss faxed  
Notice to Times Review)

I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

Designated Location(s)  
of posted noticeDate of Posting

Town Clerk's Bulletin board

December 8, 1999

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Agency on December \_\_\_\_, 1999.

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Secretary(CORPORATE  
SEAL)